



Gateway

F A X
**RECEIVED
CENTRAL FAX CENTER**
DEC 29 2008

610 Gateway Drive Mail Drop Y-04, North Sioux City, SD 57049-2000

**Law Department
Intellectual Property
Mail Drop Y-04**

Date: December 29, 2008

**Pages: - 17 -
(Including Cover)**

To:	Examiner TRAN, Denise
Re:	Appn Serial No. 10/621,149
Dept./Co.:	U.S. Patent Office,
,Fax:	571-273-8300
Phone:	
From:	Jeffrey A. Proehl, Reg. No. 35,987
Ref:	Atty Docket No. P1909US00
Fax:	605-232-2612
Phone:	605-232-1967

MESSAGE:

Transmitted herewith, please find:

- 1.) Request for Continued Examination (RCE) Transmittal; and
- 2.) Amendment

CERTIFICATION UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being transmitted, via facsimile, to the Commissioner of Patents, Washington, D.C., on the date indicated above, and to the proper USPTO facsimile telephone number, shown above.

Name: Lori Bouliware

Signature: Lori Bouliware

The information contained in this transmission is intended for use of the individual or entity named above. If reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone and return the original transmission to us at the above address via the U.S. Postal Service.

DEC 29 2008

PTO/SB/30 (12-08)

Approved for use through 01/31/2009, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. PATENT AND TRADEMARK OFFICE, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request
for
Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/621,149
Filing Date	July 15, 2003
First Named Inventor	KROENING, James L.
Art Unit	2188
Examiner Name	TRAN, Denise
Attorney Docket Number	P1909US00

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/ Declaration(s) iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-0439.

a. RCE fee required under 37 CFR 1.17(e)

i. Extension of time fee (37 CFR 1.136 and 1.17)

ii. Other Any necessary excess claims fees

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

SIGNATURE OF ATTORNEY, OR AGENT, REQUIRED			
Signature		Date	December 29, 2008
Name (Print/Type)	Jeffrey A. Proahl	Registration No.	35,987

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope, addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<u>John Boulware</u>
Name (Print/Type)	John Boulware
Date	December 29, 2008

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.